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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,474	02/11/2004	Douglas M. Grover	4492 P	6023
20322	7590	09/18/2007		
SNELL & WILMER L.L.P. (Main)			EXAMINER	
400 EAST VAN BUREN			DADA, BEEMNET W	
ONE ARIZONA CENTER				
PHOENIX, AZ 85004-2202				
			ART UNIT	PAPER NUMBER
			2135	
			MAIL DATE	DELIVERY MODE
			09/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/776,474

Applicant(s)

GROVER ET AL.

Examiner

Beemnet W. Dada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/2/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is in reply to an amendment filed on July 02, 2007. Claims 1, 10, 14, 23, 27, 36, 40 and 49 have been amended and new claim 53 has been added. Claims 1-53 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesenne et al. US 2002/0196159 A1 (hereinafter Lesenne) in view of O'Brien US 2004/0022391 A1.

4. As per claims 1, 14, 27 and 40, Lesenne teaches a system for encrypting packets on a network comprising:

a plurality of network nodes [figure 1 & paragraph 0068];

a communication channel between said plurality of network Nodes [figure 1 & paragraph 0068];

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one or more packets forming packet group sent between said plurality of network nodes over said communication channel [figures 4, 5 and paragraph 0068];

wherein said one or more packets contain an encryption key identifier and a payload (i.e., key identifier KeyID) [paragraphs 0076-0077];

one or more encryption keys stored on one or more of said plurality of network nodes [paragraphs 0074 and 0082]; and

a system for encrypting said payload based on said encryption key identifier and said one or more encryption keys [paragraphs 0073 and 0162]. Lesenne is silent on the system wherein one or more encryption keys and/or encryption key identifier is based at least in part upon a portion of the payload. However, O'Brien teaches a content security system, including one or more encryption keys and/or encryption key identifier is based at least in part upon a portion of a payload [paragraph 0035 and 0042]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of O'Brien within the system of Lesenne in order to enhance the security of the system.

5. As per claims 10, 23, 36 and 49, Lesenne teaches a system for decrypting packets on a network comprising:

a plurality of network nodes [figure 1 & paragraph 0068];

a communication channel between said plurality of network nodes [figure 1 & paragraph 0068];

one or more packets forming packet group which are sent between said plurality of network nodes over said communication channel [figures 4, 5 and paragraph 0068];

wherein said one or more packets further comprises an encryption key identifier and a payload (i.e., key identifier KeyID) [paragraphs 0076-0077];

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one or more encryption keys stored on one or more of said plurality of network nodes [paragraphs 0074 and 0082]; and a system for decrypting said payload based on said encryption key identifier and said one or more encryption keys [paragraphs 0080, 0084 and 0159]. Lesenne is silent on the system wherein one or more encryption keys and/or encryption key identifier is based at least in part upon a portion of the payload. However, O'Brien teaches a content security system, including one or more encryption keys and/or encryption key identifier is based at least in part upon a portion of a payload [paragraph 0035 and 0042]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of O'Brien within the system of Lesenne in order to enhance the security of the system.

6. As per claims 2, 11, 15, 24, 28, 37, 41 and 50, Lesenne further teaches the system wherein said payload is only partially encrypted [paragraph 0162].

7. As per claims 3, 12, 16, 25, 29, 38, 42 and 51, Lesenne further teaches the system wherein said one or more packets contains a destination address (this is an inherent feature present in data packets that are transmitted from one node to another) [see figures 3 and 4].

8. As per claims 4, 5, 17, 18, 30, 43 and 44, Lesenne further teaches the system wherein said encryption key identifier contains a value indicating "no encryption" [paragraphs 0083-0085].

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9. As per claims 6-8, 19-21, 31-34 and 45-47, Lesenne further teaches the system wherein said payload further comprises one or more fields that are used to select said encryption key identifier [paragraphs 0076-0077 and figures 3 and 4].

10. As per claims 9, 13, 22, 26, 35, 39, 48 and 52, Lesenne further teaches the system wherein said communication channel is a network selected from the group consisting of a wireless network, a light frequency network, a power line network, an acoustic network and a wired network [figure 1 & paragraph 0068].

11. As per claim 53, O'Brien further teaches the system wherein at least two of one or more packets are encrypted utilizing different ones of one or more of encryption keys [paragraph 0035 and 0042].

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

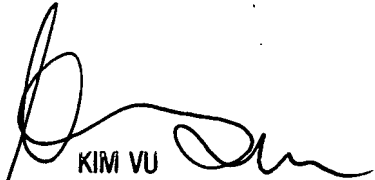
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

September 16, 2007

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
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